

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

CHAPWOOD CAPITAL INVESTMENT  
MANAGEMENT, LLC and  
ED BUTOWSKY,

Plaintiffs,

V.

CHARLES SCHWAB & CO., INC.,  
WALTER W. BETTINGER, II, and KEVIN  
LEWIS,

Defendants.

Civil Action No. 4:18-cv-00548-ALM-KPJ

## UPDATED JOINT STATUS REPORT

On October 30, 2018, the Court entered an Order and Report and Recommendation of United States Magistrate Judge (“Order”) (Dkt. 15), dismissing without prejudice several Defendants and referring the Plaintiffs Chapwood Capital Investment Management, LLC and Ed Butowsky and the remaining Defendants Charles Schwab & Co., Inc., Walter W. Bettinger, II, and Kevin Lewis, “to binding arbitration, as agreed to by the parties.” The Court’s Order also stated that “the parties shall submit a joint status report to the Court regarding the status of this matter by February 27, 2019, or within one week after the completion of the agreed arbitration, whichever is sooner.”

Pursuant to that Order, the parties submitted a Joint Status Report (Dkt. 16), upon which this Court entered an Order (“Second Order”) (Dkt. 17) that “the parties shall provide an updated

status report indicating the status of the matter by May 30, 2019, or within one week of completion of arbitration, whichever is sooner.” In compliance with Court’s Order, the remaining parties to the above-captioned action file this Updated Status Report:

1. Defendants state as a clarification to the Court that the prior Joint Status Report did not reflect when the parties expected to reconvene arbitration but when Plaintiffs anticipated that arbitration would be initiated, as no arbitration had commenced at the time of the first Joint Status Report.
2. The parties further report to the Court that no arbitration has commenced to date in this matter.
3. Plaintiffs state that they intend to file an arbitration statement of claim with JAMS within ten (10) days of the date of this filing.

Dated: May 30, 2019

Respectfully submitted,

/s/ Brett C. Govett

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Respectfully submitted,

/s/ Ty Clevenger

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(Application for Admission Pro Hac Vice  
to be filed)

*Counsel for Plaintiffs Chapwood Capital  
Investment Management, LLC  
and Ed Butowsky*

**CERTIFICATE OF SERVICE**

This pleading, Joint Status Report, was served in compliance with Rule 5 of the Federal Rules of Civil Procedure via the Court's ECF system, on May 30, 2019:

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/s/ Kyle Schindler  
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